



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Board of Housing and Community Development
<b>Virginia Administrative Code (VAC) citation</b>	<u>13</u> VAC <u>5</u> - <u>51</u>
<b>Regulation title</b>	Statewide Fire Prevention Code
<b>Action title</b>	Update the reference to the International Fire Code
<b>Final agency action date</b>	July 26, 2010
<b>Document preparation date</b>	February 15, 2011

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Summary

*Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

The Statewide Fire Prevention Code incorporates by reference the International Fire Code, a publication of the International Code Council, as the basis for its technical provisions for fire safety and the protection of life and property from the hazards of fire and explosion.

New editions of the International Fire Code become available every three years.

The Board of Housing and Community Development approved final regulations on July 26, 2010 to incorporate by reference the 2009 edition of the International Fire Code to be used as the basis for the technical requirements of the regulation, after completing a full regulatory process of proposed and final regulations examining the provisions of the 2009 edition of the International Fire Code. Formerly, the regulation used the 2006 edition of the International Fire Code. The final regulations completing that action are effective on March 1, 2011.

After the publishing of the final regulations, it was discovered that a provision in the regulation stipulating the year edition of the International Fire Code had been inadvertently omitted from the proposed and final regulations. The 2006 edition of the International Fire Code was still listed as the model code incorporated by reference rather than the

2009 edition, even though the regulation had been through a full regulatory process to be coordinated with the 2009 edition of the International Fire Code.

This action is to simply correct that technical error by amending § 13 VAC 5-51-31A to stipulate that the 2009 edition of the International Fire Code rather than the 2006 edition was approved by the Board of Housing and Community Development.

**Statement of final agency action**

*Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.*

---

On July 26, 2010, the Board of Housing and Community Development approved the culmination of proposed and final regulations which incorporated by reference of the 2009 edition of the International Fire Code to be used as the basis for the technical provisions of the Statewide Fire Prevention Code without identifying a provision of the regulation which listed the wrong year edition of the International Fire Code. This action is necessary to correct that technical error.

**Family impact**

*Assess the impact of this regulatory action on the institution of the family and family stability.*

---

This regulatory action will have no impact on the institution of the family or family stability.